

Notice of Allowability

Application No.

10/521,422

Examiner

Christina D. Gettman

Applicant(s)

ROYSE ET AL.

Art Unit

3734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/24/2007.
2. ☒ The allowed claim(s) is/are 1,6,9-11 and 17-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None. of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Utykanski on September 25, 2007.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1, line 5, after "a ratchet device" add --located generally opposite of the interconnection of the arms and--.

Claim 1, line 8, change [extending from] to --located on--.

Claim 1, line 8, after "the arm" add --between the interconnection of the arms and the ratchet device and extending therefrom--

Claim 6, line 1, change [claim 2] to --claim 1--.

Claim 18, line 2, change [interconnected] to --hinged--.

Claim 18, line 5, after "a ratchet device" add --spaced from the hinge and--.

Claim 18, line 8, after "each post" add --is positioned between the hinge and the ratchet device and--.

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ADD CLAIM 19:

--19. A surgical clamp comprising:

a pair of arms connected at a hinge located at a first end of said clamp, said arms pivotally moveable in a plane between an open configuration in which said arms define a V-shaped configuration and a closed configuration in which said arms are approximately parallel;

a ratchet device located at a second end of said clamp generally opposite said hinge, said ratchet device operable during closing movement of said arms to retain said arms in a selected, closed, condition;

said arms each including a clamping member comprising a post having a clamping face and extending from said arm substantially perpendicularly to said plane, said post located intermediate said hinge and said ratchet; and

wherein a vessel can be clamped between the respective clamping faces of said posts as said arms are moved to their closed position.--

The following is an examiner's statement of reasons for allowance: the recited clamp for surgical use that includes a pair of arms connected at a hinge, the clamp moveable between an open, V-shaped configuration and a closed, substantially straight configuration, each arm having a clamping face, and a ratchet wherein the clamping faces are in the form of posts that extend perpendicularly to the plane of pivotal movement and wherein the ratchet and hinge are located at opposite ends of the clamping body, the clamping posts hold a vessel, and the clamping posts are located

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between the hinge and the ratchet is neither found nor fairly taught in the prior art of record..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christina D. Gettman whose telephone number is 571-272-3128. The examiner can normally be reached on Monday-Friday 7:15 am to 3:45 pm.

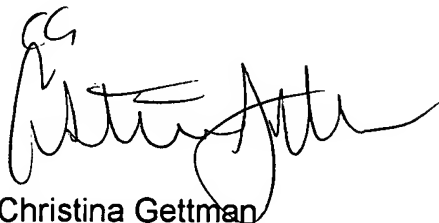
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hayes can be reached on 571-272-4959. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Christina Gettman', with a stylized 'CG' monogram above it.

Christina Gettman

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571-272-3128

A handwritten signature in black ink, appearing to read 'Michael J. Hayes', written in a cursive style.

MICHAEL J. HAYES
SUPERVISORY PATENT EXAMINER